

1 Q. What does that mean you were satisfied living with Mrs. Park?

2 A. He says leaving, leaving with Mrs. Park.

3 Q. I'm sorry, I misunderstood. You just entrusted the matter to Mrs. Park, and
4 that was good enough for you?

5 A. Yes.

6 Q. And that was the business of Asia that you entrusted her with; right?

7 A. Can you repeat your question?

8 Q. You entrusted the business of Asia to Mrs. Park, and that was good enough
9 for you. Was that your testimony?

10 A. Yes.

11 Q. And in fact Mrs. Park was the one that signed that tax return, the document
12 01543; right?

13 A. Yes.

14 Q. Is that her signature on that document?

15 A. Yes.

16 Q. She signed as secretary; is that correct?

17 A. Does it say secretary here? Yes.

18 Q. Do you know when that document was signed, or when it purports to be
19 signed?

20 A. (in English) 2004? 2004.

21 Q. What month and day?

22 A. January 12th, 12th January 2004.

23 Q. Has Mrs. Park ever signed any other documents for Asia?

24 A. No.

1 Q. Never?

2 A. I'm not too sure.

3 Q. How about employees. Did Asia have any employees in 2004?

4 A. No, not in the year 2004.

5 Q. How about 2005?

6 A. Yes.

7 Q. Did Mrs. Park sign any documents for Asia in 2005 to hire employees?

8 A. Not that I know, but I mainly sign everything, most of it.

9 Q. Most everything. Was there anybody else that was authorized to sign on
10 behalf of Asia to hire employees?

11 A. Is his secretary authorized to sign on behalf of the company?

12 Q. I'm not here to answer questions. I'm the one asking them. Do you think
13 that a secretary is authorized to sign?

14 A. I think I signed everything but I see a secretary here signing a form.

15 Q. So on occasion the secretary of Asia would sign documents for Asia; is that
16 right?

17 A. Yes.

18 Q. And Mrs. Park was the secretary?

19 A. Well, seeing this document I guess she was authorized to sign on behalf of
20 the company.

21 Q. Did you tell her she could sign or did somebody else tell her she could sign?

22 A. Probably, otherwise how was she able to sign on this, put her signature on
23 this?

24 Q. Was Mrs. Kim, I'm sorry, was Mrs. Park the secretary of Asia in 2005 also?

1 A. I need to see the annual report.

2 Q. So is the annual report accurate?

3 A. Yes.

4 Q. Every annual report that Asia has ever filed accurately represents who the
5 officers, directors and shareholders of the corporation were at the time?

6 A. Yes.

7 Q. And Mrs. Park was always shown as an officer and a director and a
8 shareholder of Asia; right?

9 A. I think her name was pulled out sometime, but I need to see last year's
10 annual.

11 Q. I'll show you what's been previously Bates stamped Document 001. It's
12 Asia Enterprise Inc.'s Annual Report for the year 2003, filed on February 13, 2004. Do
13 you know if Asia has filed any annual reports since then?

14 A. I need to go and ask.

15 Q. Who would you go and ask?

16 A. Cindy Yu.

17 Q. Is it fair to say Cindy and Mrs. Park pretty much ran the business of Asia
18 from the - let me rephrase the question.

19 Is it fair to say that you entrusted Cindy Yu and Mrs. Park to manage the
20 documents, the taxes, the things that you had to file with the government, for Asia?

21 A. Yes.

22 Q. Okay. In 2000 -- I'm not exactly sure -- that's not it. Just a minute.

23 (An off-the-record discussion was held.)

24 (Time noted: 05:02 p.m.)

1 (A recess was taken.)

2 BY MR. HANSON: Okay. We're back on the record after a short break.

3 (Time noted: 05:12 p.m.)

4 BY MR. HANSON: After discussion, and after the break, we're going to adjourn
5 for the day. Again today is January 24, 2006. This is the continuing deposition of Asia
6 Enterprises Inc., and we are going to meet again here, at the offices of Mark Hanson, at
7 9:00 a.m., tomorrow morning, January 25, 2006, which was the scheduled time for the
8 deposition, and we will try to continue and finish it tomorrow morning. Anything to be
9 put on the record before we go off the record for the day?

10 A. No.

11 OFF RECORD

12 ...April of the year 2004.

13 BY MR. HANSON: Okay. Hang on a second. We're going to go off the record
14 for just a minute.

15 Okay. We're back on the record in the deposition of Asia Enterprises Inc. This is
16 Mark Hanson, the attorney for plaintiffs and the officer for this deposition.

17 This is the case of Li Ying Hua et al versus Jung Jin Corporation et al. Civil
18 Action 050019. The date is January 25th, 2006. The time is approximately 9:25, and we
19 are at the offices of Mark Hanson.

20 (Time noted: 09:25 a.m.)

21 Present is Mr. Kim for Asia Enterprises, the attorney for the defendants, Mr.
22 Steve Nutting, and Alex Tae.

23 Good morning.

24 EXAMINATION BY:

1 MR. HANSON: So Mr. Kim we were discussing when Mr. Li and Ms. Xu came
2 to work for Asia Enterprises.

3 A. (in English) I think is January around February.

4 Q. January or February of which year?

5 A. (in English) That's 2005.

6 Q. And why did they come to work for Asia?

7 A. (in English) Because they almost expired contract with Jung Jin. Jung Jin
8 doesn't want two people.

9 Q. Jung Jin doesn't want the two people. Do you know why Jung Jin didn't
10 want the two people.

11 A. (in English) Because the business very slow, reason also plenty employed.
12 She has plenty people.

13 Q. Asia Enterprise's business doing well then?

14 A. It wasn't doing so well, too good, but I had one maintenance and I had a
15 poker parlor and I needed, and because I recommended those two employees to Jung Jin
16 Corporation I wanted to, I felt obligated to take care of them, so I took them to my
17 company. And myself and the guy, we had a very close relationship. We're like
18 brothers.

19 Q. Who's idea was it then for that, for these two individuals to transfer from
20 Jung Jin to Asia?

21 A. My idea.

22 Q. Now, when I say these two individuals I'm talking about Mr. Li and Ms. Xu,
23 and because it wasn't on the record, Mr. Li and Ms. Xu who are plaintiffs in this case,
24 were working for Jung Jin before they transferred to Asia in January of 2005; right?

1 A. Yes.

2 MR. HANSON: Okay. I just want to make sure that this is recording, so I'm just
3 going to stop it real quick just to make sure.

4 MR. TAE: While you're stopping. Is Ms. Hua and Ms. Xu separate?

5 MR. HANSON: No. Let's clarify that. There's a Xu Jing Ji. There's a Li Ying
6 Hua, and there's a Li Zheng Zhe.

7 MR. TAE: Okay. Pronounced different. He pronounces Hua and you
8 pronounce Xu.

9 MR. HANSON: Okay. Chinese in a Korean pronunciation.

10 MR. TAE: Yes.

11 MR. HANSON: But, it's the same person.

12 MR. TAE: Yes.

13 MR. HANSON: So you call her Ms. Hua and Mr. Li. Okay.

14 Let's just check that it's recording real quick.

15 BY MR. HANSON: Okay. We'll continue. Now, you say it was your idea to
16 transfer Ms. Xu, and for clarity's sake I'm going to call her Ms. Xu, so when I'm talking
17 about Ms. Xu, I'm talking about who you know as Ms. Hua. Understand?

18 A. Yes.

19 Q. So Mr. Li and Ms. Xu, it was your idea to transfer them from Jung Jin to Asia?

20 A. (in English) Right.

21 Q. Because they, their contract was going to expire with Jung Jin?

22 A. (in English) Yes.

23 Q. And you felt bad. You thought that they should continue to have a job?

24 A. (in English) Yes.

1 Q. So Asia hired them.

2 A. (in English) Yes.

3 Q. How long did they work for Asia?

4 A. (in English) Three months.

5 Q. Why did they leave?

6 A. (in English) Because this problem, these two people when they working
7 outside, talking about friends, you know.

8 (by Interpreter) I heard them talking about me and my wife, my business partner,
9 Mrs. Park, and also I heard them asking people around the, how much they could get if
10 they filed for a complaint.

11 Q. Okay. Is Mrs. Park your wife or your business partner, or both? Is she both
12 your wife and your business partner?

13 A. (in English) No.

14 MR. HANSON: Point of clarification. You translated what he said as wife.
15 Was that the, is that the word that he used?

16 THE WITNESS: Yes.

17 MR. HANSON: I would like the record to reflect that you said "wife", and it was
18 translated as "wife" and then you said "business partner".

19 THE WITNESS: Business partner.

20 MR. HANSON: Okay.

21 Mr. Kim, do you remember signing -- I'm sorry. Can you look at this. I'm
22 handing Mr. Kim what's, what is Defendant's Answers to Plaintiff, Li Zheng Zhe First
23 Interrogatories to Defendant. Have you seen that before?

24 A. Yes, I have.

1 Q. Can you turn to the last page of this document for me please. To the very last
2 page. Okay. Is that your signature at the bottom of the page?

3 A. (in English) This is my signature.

4 Q. And when you were signing that, what do you believe, why do you believe
5 you were signing that document?

6 A. Back then I did have a clear idea of what this document is about, but he wants
7 me to read it out and translate it to him.

8 MR. HANSON: Okay. For the record, you're going to be reading.

9 MR. TAE: Just the last portion.

10 MR. HANSON: The last, the paragraph underneath Mrs. Park's signature.

11 MR. TAE: Read it out loud in English?

12 MR. HANSON: Yeah. If you could read it in clear English. You don't have to
13 read it in English. You can read it in Korean.

14 (Mr. Tae read the paragraph in Korean.)

15 A. (in English) Yes.

16 Q. So, you, when you signed this you were acknowledging that everything in here
17 was true?

18 A. It was signed for the fact that I accepted and received the document.

19 Q. Did you ever look and see what the document said inside the document?

20 A. First we heard about it.

21 Q. In early 2005, did Asia's business start to get bad?

22 A. From 2004.

23 Q. 2004, when you started a new poker business; right?

24 A. Yes.

1 Q. And that new poker business was in partnership with Jung Jin?

2 A. It was in partnership with Mr. Kim Ki Sung.

3 (in English) KSK Corporation.

4 Q. KSK. But the poker machines you were using, you bought with Jung Jin;
5 right?

6 A. It was borrowed from Jung Jin corporation. Four units.

7 Q. In 2004, Jung Jin made a big order of poker machines from LA Slot
8 Machines in California; right?

9 A. Probably in year 2003.

10 Q. 2003, but then Asia Travel, borrowed some of those machines? Asia Travel,
11 I'm sorry. Asia Enterprises, Asia borrowed some of those machines; is that right?

12 A. (in English) Yes.

13 Q. And then Asia used those machines in a partnership with this Mr. Kim guy?

14 A. (in English) Yes.

15 Q. Did Asia pay Jung Jin any money for borrowing the machines?

16 A. Yes.

17 Q. So some of the revenues that were generated by these poker machines were
18 paid back to Jung Jin?

19 A. Only for the machine, not the revenue, not the profit.

20 Q. Not the profit. The machine makes some money and after the machine makes
21 some money, you and Mr. Kim have to give Jung Jin some of the money to pay them, to
22 rent the machine?

23 A. No. I, I, realistically I bought the machines from Jung Jin Corporation, but I
24 did not pay for the machine. I promise Jung Jin to pay for the machines later on once I,

1 when I earn some money.

2 Q. So, all right. Let's go back to Asia in 2005. After you hired Ms. Li, Mr. Li
3 and Ms. Xu, what happened? What happened with the business?

4 A. It got worse since I, after I hired them.

5 Q. Okay. And did you have a conversation with the employees of Asia and the
6 employees of Jung Jin about Asia's business?

7 A. Only with Asia employees.

8 Q. Did Mrs. Park, was Mrs. Park part of that meeting with the Asian employees?

9 A. No, she wasn't.

10 Q. You never had a meeting with the Jung Jin employees?

11 A. Not a formal meeting, but about once a month we'd have a gathering party on
12 a special occasion, such as a birthday or salary day.

13 Q. And that would be a gathering of all the employees from Jung Jin and Asia?

14 A. In occasions yes, in some occasions no.

15 Q. Did KSK have employees?

16 A. Yes, they run a poker business too.

17 Q. Where is the poker business of KSK?

18 A. One in San Jose and one in Dandan.

19 Q. What's the name of the poker business?

20 A. KSK.

21 Q. Do the poker places each have individual names like the Jung Jin and Asia
22 ones?

23 A. Fun and Win.

24 Q. What else? That's it?

1 A. I don't know the.

2 Q. How many machines did Asia have that it used in its partnership with KSK?

3 A. Four.

4 Q. And where were those machines located? In which poker place?

5 A. It was initially operated in San Antonio area and transferred to Chalan Lau

6 Lau.

7 Q. What's the name, I need the names, if you could tell me of the poker places

8 that your machines were in?

9 A. (in English) Daora.

10 Q. How do you spell that?

11 A. (in English) D-A-O-R-A-

12 Q. Taora, and then is Taora the same one?

13 A. (in English) D.

14 Q. D. Daora, and then Daora, was that moved somewhere else?

15 A. Yes.

16 Q. Where was that moved?

17 A. To Chalan Lau Lau.

18 Q. Was that the same name?

19 A. Yes.

20 (in English) Yes, same name.

21 Q. Same name. What happened to Daora?

22 A. It closed down.

23 Q. What happened to the poker machines?

24 A. It's in the storage room. He took his own machines. Mine are in storage

1 room.

2 Q. What, when was Daora closed?

3 A. April of year 2005.

4 Q. Where is the storage of the poker machines?

5 A. It's in Wonderful Poker, inside Wonderful Poker.

6 Q. And they're not being operated any more?

7 A. It's been a long time.

8 Q. Who's operating Wonderful Poker?

9 A. Jung Jin.

10 Q. Is Jung Jin still operating Wonderful Poker?

11 A. Yes.

12 Q. And Mr. Kim took over Jung Jin, right?

13 A. Meaning taking over the whole company of Jung Jin --

14 Q. Yes, that's what I understand. Is that not true?

15 A. No.

16 Q. So Mr. Kim took over the laundrymat?

17 A. And poker parlor.

18 Q. So who's operating Wonderful Poker?

19 A. Mrs. Parker is.

20 Q. Still?

21 A. Yes. It would be, it would still be closed down for good from two months
22 from now. The lease will expire after two months and the licensing period for the
23 machines will be expired too. Machines will expire next month.

24 Q. Did you ever take the licensing from some Jung Jin machines, and then they

1 expired change them to be licensed under Asia?

2 A. Well, yes, I bought four of the machines that was being used by Jung Jin
3 corporation. I took it over to my company and licensed them under Asia Enterprise.

4 Q. You borrowed or you bought?

5 A. I bought.

6 Q. But you didn't pay for them?

7 A. I pay for it later.

8 Q. You pay for it already? Who did he pay?

9 A. Mrs. Park.

10 Q. How much did you pay her?

11 A. \$2,000 per machine. \$8,000 altogether.

12 Q. When did you pay her?

13 A. After I close down I had left over coins in my business. I gather all the coins
14 and paid her with coins for this.

15 Q. Did you get a receipt?

16 A. No, we don't work that way.

17 Q. You don't get receipts?

18 A. No.

19 Q. Now, Mr. Kim, KSK Kim, he's the one that took over the laundry and the
20 poker parlor from Jung Jin; is that right?

21 A. Yes.

22 Q. And he took that over because of the debt that you owed from being partners
23 with Mr. Kim in KSK?

24 A. Yes.

1 Q. Okay. Now, back to this meeting. Was there ever a time that you told Mr. Ki
2 and Ms. Xu, and may be some other employees of Asia and Jung Jin, that Asia's business
3 was going to go down and they couldn't afford to keep them any more?

4 A. Not that I remember. There is no reason for me to tell my employees of the
5 situation of the corporation, but before I say anything to them, they would talk to each
6 other and then would know everything that I don't even know. They would talk to each
7 other and come up with a lot of stories.

8 Q. Would it surprise you to now that in your response to questions that I sent in
9 this paper here, you said that you had a meeting, or somebody had a meeting, with the
10 employees of Asia and Jung Jin and said Asia's business is going down and they should
11 try to get a transfer to somebody else?

12 A. (in English) took it that way.

13 Q. Is that true?

14 A. (in English) Yes true.

15 Q. That's what happened?

16 A. I told them to transfer.

17 Q. You told them to transfer because Asia's business was no good?

18 A. (in English) Uh-huh.

19 Q. And that was less than three months after you had transferred them, hired
20 them from Jung Jin; right?

21 A. It's been about -- it's been about three months. Not less than three months
22 and since they came, the business got worse.

23 Q. It was starting to get bad before you had them transferred to Asia; is that
24 right?

1 A. It wasn't getting worse. It wasn't getting bad or anything, but it wasn't doing
2 any good. It was doing steady but very, with very low, low.

3 Q. You said earlier that Asia's business started getting bad in 2004. Is that what
4 you said?

5 A. It wasn't, it was very steady. I wasn't losing any money but I wasn't making,
6 you know, a great amount of money. It wasn't dramatic. It was just steady with low
7 income.

8 Q. Maintaining. When Asia hired Li and Xu, did you know that Asia was
9 probably going to have to close because the business was getting slow?

10 A. No.

11 Q. You didn't know?

12 A. (in English) Honest, no.

13 Q. Who's the one that signed the transfer documents, for Xu and Li to transfer to
14 Asia? Who signed the documents?

15 A. I did.

16 Q. Sure?

17 A. (in English) Transfer.

18 (by Interpreter) From where to where?

19 Q. From Jung Jin to Asia. Who signed the transfer documents?

20 A. I did.

21 Q. Are you sure?

22 A. You can check.

23 Q. I'll check, but do you have any reason to believe that Ms. Park is the one that
24 signed for Asia?

1 A. I don't know. You can check.

2 Q. Would it be possible that Ms. Park was the one that signed the documents to
3 transfer Xu and Li from Jung Jin to Asia?

4 A. It's possible. She's listed as secretary in the annual report.

5 Q. Okay. So, it's possible that Ms. Park, who is the owner of Jung Jin; right?
6 Was the one asking you to sign the documents to transfer her employees to Asia, because
7 she was also able to sign for Asia; is that right?

8 A. It's possible. I can't sign on behalf of Jung Jin but she can sign on both sides,
9 both companies.

10 Q. She can sign for both companies; is that right?

11 A. Yes.

12 Q. Is she also a signer on the Asia bank account?

13 A. Yes.

14 Q. Who else is a signer on the Asia bank account?

15 A. Ms. Park and I, Asia.

16 Q. Who's the one that usually wrote all the checks? Never mind that, I'll
17 withdraw that question.

18 Did you sign a lot of checks for Asia?

19 A. Yes.

20 Q. Did Ms. Park sign a lot of checks for Asia?

21 A. Not that many.

22 Q. Did Ms. Park used to sign checks for Asia and give you cash from the
23 checks?

24 A. Yes.

1 Q. So, Ms. Park was the one that -- all right, I'm going to show you one that has
2 been previously Bates stamped document 00255, which is a Declaration of Accepting
3 Employer. Will you look at that for me. This was a document that we received from
4 you, from your lawyer. What is that? Can you describe that for me Mr. Kim?

5 A. I don't know what this is. It is for transferring employees?.

6 Q. Transferring employees. Does it have an employee's name on there?

7 A. I don't know. Is it stated in here? I don't know.

8 Q. It is. I'm just asking you to read what it says.

9 A. I understand, he doesn't --

10 Q. For the record, I'll tell you what I believe Document 00255 says, is that Park
11 Hwa Sun of Asia Enterprises Inc., accepted the transfer of Xu Jing Ji to Asia Enterprises
12 Inc. from Jung Jin Corporation. That's what this says. As a commercial cleaner. Mrs.
13 Park, on behalf of Asia, hired Xu Jing Ji from Jung Jin.

14 A. I see.

15 Q. Okay. So, Mrs. Park's employee at Jung Jin, that Mrs. Park signed a transfer,
16 Mrs. Park's employee at Jung Jin to Mrs. Park's employee at Asia. Does that sound
17 about right?

18 A. Yes.

19 Q. Is that what actually happened?

20 A. Yes.

21 Q. And then about three months later you told Ms. Xu, we're going to close the
22 business. You need to get a transfer somewhere else.

23 A. Yes.

24 Q. Was Mr. Kim there when you told Asia employees we're going to transfer,

1 you need to transfer somewhere else?

2 A. My partner Kim, yeah, Mr. KSK Kim. Yes he was.

3 Q. He was there when you told the employees of Asia, you're going to have to
4 transfer?

5 A. (in English) Yes.

6 Q. Was Mrs. Park, your partner Mrs. Park, was she there when you told the
7 employees of Asia you're going to have to transfer, we're going to close?

8 A. No, she wasn't.

9 Q. Just you and Mr. Kim?

10 A. Yes. Just myself and Mr. Kim.

11 Q. Now, Mr. Li Zheng Zhe, you know Mr. Li Zheng Zhe; right?

12 A. (in English) Yes.

13 Q. You said earlier that you and him are very close for a long time.

14 A. (in English) Yes.

15 Q. When did you first meet Mr. Li?

16 A. I first met him when I was operating Wonderful Market. He used to live
17 together with the cashier of Wonderful Poker.

18 Q. What was he, who was he working for at the time?

19 A. Garment factory, Sako..

20 Q. You said that you helped him get a job at Jung Jin.

21 A. Yes.

22 Q. When was that?

23 A. I can't recall my memory, but it would be around the year 2002 or year 2003,
24 when I was operating Wonderful Market and there was a poker parlor right next to it

1 called J Poker, and he was living together with the cashier of J Poker.

2 Q. What did Mr. Li do for Jung Jin?

3 A. He did a lot of things. He wasn't only position for one job. We did
4 everything. We meaning myself and him, we fixed washing machines and did a lot of
5 things, and he was substitute to any of other employees too.

6 Q. That was you and Mr. Li used to fix the machines and work for Jung Jin;
7 right?

8 A. He was the employee of Jung Jin corporation and I was a contracted company
9 with Jung Jin Corporation.

10 Q. Okay. And then when Mr. Li transferred to Asia, what was his job with
11 Asia?

12 A. Security Guard.

13 Q. Security Guard?.

14 A. (in English) Security Guard.

15 (by Interpreter) Not only that but he was like a handyman. We would build a dog
16 cage together, we would do everything together.

17 Q. Now you said yesterday, up until about a month ago you were still on the
18 contract for fixing the Jung Jin washing machines and driers and poker machines, like
19 that.

20 A. Yes.

21 Q. Did Mr. Li continue, after he transferred to Asia, did Mr. Li continue to help
22 you fix the washing machines and the driers and everything that you were contracted to
23 do for Jung Jin?

24 A. Yes.

1 Q. Who was the one that kept track of the hours that Mr. Li worked for Asia?

2 A. There was no need for, no need to keep track of the time.

3 Q. How about when Mr. Li was working for Jung Jin. Who was the one that
4 kept track of his time when he was working for Jung Jin?

5 A. Even with, same with Jung Jin Corporation, there was no need to keep track
6 of the times. When they first work for Jung Jin or even with, when they transfer to my
7 company, Asia Enterprise, we set a monthly standard.

8 Q. What was the monthly salary for Mr. Li?

9 A. \$950.

10 Q. Is that monthly salary for Mr. Li with Jung Jin the same as it was with Asia?

11 A. Yes.

12 Q. What about Ms. Xu. Did she have a monthly salary, the same thing?

13 A. Yes.

14 Q. What was her monthly salary?

15 A. \$700. \$750 or seven.

16 Q. And was it the same with Jung Jin as it was with Asia?

17 A. Yes.

18 Q. When Ms. Xu came to work for Asia in January 2005, what was her job?

19 A. Cashier of poker parlor.

20 Q. What poker place? What's the name of -- just tell me the name of --

21 A. (in English) Chalan Lau Lau.

22 Q. And when did she start working in the Daora poker?

23 A. Right after she transferred.

24 Q. Where was she working before she transferred to you?

1 A. For Jung Jin.

2 Q. Which one, which poker place?

3 A. J Poker.

4 Q. J Poker.

5 A. (in English) Same building. Beside the Wonderful Market, Susupe.

6 Q. And then in January when she transferred to Asia, she moved over to Daora;
7 is that right?

8 A. (in English) Yes.

9 Q. Who's the one that paid the salary for Mr. Li and Ms. Xu? Who gave them
10 the money?

11 A. I did.

12 Q. Did you pay them in cash or with a check?

13 A. I would write them a check and soon after, right after I give them a check
14 they would cash it back, take the cash in poker parlor.

15 Q. So you write them a check but you pay them in cash. They give you the
16 check back?

17 A. You're right. They will sign on back of the check and I deposit the check.
18 They take the cash.

19 Q. You deposit the check where?

20 A. My account.

21 Q. In the same account that you wrote the check from?

22 A. One account. Checking account.

23 Q. So you write a check from your checking account. They sign it, they endorse
24 the check and then you deposit the check into the same checking account?

1 A. Yes.

2 Q. Now, how often did you pay them?

3 A. Twice in one month.

4 Q. When? Was it a regular two times, like the first and the fifteenth?

5 A. Every fortnight.

6 Q. Every two weeks?

7 A. (in English) Two weeks.

8 Q. How did you figure out, for example, to make Mr. Li's \$950? Did you say
9 \$950 one month?

10 A. (in English) Yes.

11 Q. How much is that every fortnight?

12 A. By the law, the labor requires 40 hours a week, so according, I would follow
13 whatever is stated in their contract term, and pay them right, issue them a check that suits,
14 that matches 80 hours of their hourly salary, and once I issue them a check they will
15 endorse it back to me and I pay them cash of agreed amount. So on occasions the amount
16 of check would be \$200 and the cash I'm paying though could be up to \$700 and \$950.

17 Q. Now, Mr. Li agreed and -- withdraw that. Mr. Li worked 15 hour days; is
18 that right?

19 A. Is that possible for you to work for 15 hours? He came up to me and told --
20 when he came to me and begged me for the job, he promised to work 15 hours a day.

21 Q. That was back in 2002?

22 A. Yes.

23 Q. Could it possibly have been earlier than that, say mid 2001 when he first
24 came to talk to you about a job?

1 A. What are you talking about? He came to me and told me that he will work 15
2 hours a week, a day.

3 Q. Seven days a week?

4 A. Yes.

5 Q. And you would pay him 950 a month, \$950 a month?

6 A. At that time it was agreed to, I agreed to pay him \$900.

7 Q. And that was in 2002; is that right?

8 A. Probably in the year 2002.

9 Q. My question before was could it have been a little bit earlier that Mr. Li came
10 and started working for you?

11 A. I don't know. I don't keep track on the time. I could be in year 2001 or it
12 could be in year 2003.

13 Q. Okay. Was anything taken out of the 900 cash that you would give Mr. Li,
14 and did he have to give any money back to you for anything or did you hold any money
15 for any reason?

16 A. There were occasions where, when he had some kind of problem with his
17 girlfriend, and he asked Mrs. Park to open up an account for him and that's when,
18 whenever he gets his salary he will take some portion of money for his living and give
19 the others, the remaining amount to Mrs. Park to deposit into his account.

20 Q. Okay. What about taxes - did you withhold taxes? Did you take out some
21 taxes from the 900. Was it 900 or 950? I will withdraw the other question.

22 How much was your agreed, how much did you pay Mr. Li every month?

23 A. \$950.

24 Q. Okay. Did you take any money out of that for taxes?

1 A. Yes, yes, from the tax that you have to file from the contract hours and
2 salary, hourly wage.

3 Q. So you did --

4 A. As you can see from the check stub it will be \$10, \$5 and \$3 per check.

5 Q. Well the check stubs didn't match what you actually paid him; right?

6 A. Of course not.

7 Q. But you say that the only taxes you took out were the ones that it said in the
8 pay check stub?

9 A. You're right.

10 Q. How about -- where did Mr. Li Zheng Zhe and Xu Jing Ji, they live together?

11 A. Yes.

12 Q. They live together ever since Ms. Xu starts working for Jung Jin; right?

13 A. After three to four months since Ms. Park, Xu started working for Jung Jin
14 Corporation.

15 Q. Okay. Where did they live?

16 A. Barracks little bit close to the laundrymat. Right across the road.

17 Q. Who's barracks?

18 A. It was my barracks.

19 Q. Did they have to pay you money to stay in the barracks?

20 A. Yes.

21 Q. How much did they have to pay you?

22 A. It was either 110 or 120 per month.

23 Q. And did you -- when you went to pay them the cash for their salary, you just
24 take out that money for their house, everyone?

1 A. No. It was given to them. The salary was given to them and they would pay
2 me for the barracks.

3 Q. At the same time.

4 A. In some occasions yes but other cases, on some occasions they would pay me
5 the next day or the day after.

6 Q. Now you sold Wonderful Market in 2003; right?

7 A. (in English) Yes.

8 Q. And then you didn't really have much business until 2004 when you started
9 the poker business; right?

10 A. (in English) Right.

11 Q. You didn't have any employees.

12 A. (in English) No.

13 Q. But Asia bought a building in 2004; didn't it?

14 A. Yes.

15 Q. What building? Where is the building?

16 A. Its behind the Asia building in Susupe.

17 Q. [unclear]?

18 A. The barracks.

19 Q. Only in 2004 is when you bought the barracks?

20 A. Probably in the year 2005.

21 Q. Okay. When did you build your house by Verizon?

22 A. The year 2005, last year.

23 Q. You, you just started building it last year?

24 A. I started either July or September in year 2004.

1 Q. Okay. And did you declare the house as a deductible expense on Asia's
2 income tax return?

3 A. No.

4 Q. Are you sure?

5 A. (in English) Yes.

6 Q. Who would know about your taxes; besides you?

7 A. Nobody else.

8 Q. How much did you pay for the house?

9 A. Why are you going back and forth from one to another?

10 Q. Because that's what I get to do.

11 A. You mean how much I put in?

12 Q. Yeah, now much did you pay for the house?

13 A. I don't have an exact figure, but roughly I would estimate it up to, estimate it
14 about \$150,000.

15 Q. In 2004 on your -- I'm sorry. I missed that. Who else knows about your
16 taxes besides you?

17 A. No one.

18 Q. What about Cindy Yu, does she know about your taxes?

19 A. Cindy Yu know.

20 Q. Okay. Now, in 2004, in 2004 you claimed \$88,583 in costs for a building
21 improvement.

22 A. Can you repeat the number again please.

23 Q. \$88,583. You say you spent \$88,583 as the cost for a building improvement.

24 A. I did that?

1 Q. That's what it says. You said you know about your taxes; right?

2 A. (in English) Ah.

3 Q. Do you want me to show you the tax return?

4 A. Can I –

5 Q. Yeah. For the record, I want to make sure I show you the complete return.

6 Okay. Now, for the record I'll show it to you too. I'm going to show you what's

7 previously been Bates stamp Documents number 01444 through 01452 and say that it

8 purports to be the Form 1120 CM with attachments, for Asia Enterprises Incorporated for

9 the Fiscal Year 2004. Okay. Have you seen this before?

10 A. (in English) I don't know this one.

11 (by Translator) I wouldn't know even if I looked at it.

12 Q. Okay. You wouldn't know; is that what you're saying?

13 A. I wouldn't know.

14 Q. Who would know about this?

15 A. Cindy Yu prepared this so she would know.

16 Q. Okay. Did you look on the first page here, page 01444? That's the number

17 I'm reading the number off. Is that your signature at the bottom of the page there?

18 A. That's right.

19 Q. Okay. Mr. Kim I'm going to show you one of the pages in this tax return,

20 and this is page, for the record, Bates number 01450. Now that's a schedule that's

21 attached to this tax return Mr. Kim. Do you see at the top there where it says building

22 improvements? You see here where it says building improvements, on the very first line,

23 and then two columns over, in the columns for the costs, it says \$88,583. You see that?

24 You see that on there; right?

1 A. (in English) I think so.

2 Q. Okay. Now what it appears from this tax return to me is that in the year
3 2004, Asia Enterprises spent, and then claimed as a deduction in its income taxes,
4 \$88,583, at least that much, improving of building.

5 A. (in English) That's the annual report?

6 Q. No, no, this is the income tax. I'm asking you what building did you spend
7 eighty-eight, did Asia spend \$88,583 improving in 2004?

8 MR. TAE: I'd like to make one correction on the figure for the building
9 improvement. I earlier said 880,000 in Korean.

10 MR. HANSON: Oh, I'm sorry.

11 MR. TAE: No, I said that.

12 MR. HANSON: Okay.

13 MR. TAE: I think I said that. That's \$88,583.

14 MR. HANSON: Right.

15 Q. What building was that?

16 A. I don't know.

17 Q. Could it have been the house?

18 A. Year 2004?

19 Q. Yeah.

20 A. When in year 2004?

21 Q. Some time in year 2004.

22 A. I don't know where that came from, but that's got nothing to do with the
23 house. This is how it works. I file for taxes, the number, the amount that I file for taxes
24 does not mean that I actually earned that exact figure. At the end of the year there comes

1 a time where I will have to come up with numbers that would match the number that I file
2 at the taxation office. So that building improvement could have been the number I
3 needed to come up with.

4 Q. So you just make up numbers in your tax returns? Make them up?

5 A. That's how it works.

6 Q. That's how it works? This tax return also says that in 2004, you bought eight
7 poker machines for \$2,500 each.

8 A. That may be I did.

9 Q. So you borrowed four machines from Jung Jin; right?

10 A. Yes.

11 Q. And you bought eight more machines?

12 A. Yes.

13 Q. That's fine. Now, you also bought a new air con, and a camera and some
14 other stuff for the poker place; right?

15 A. Yes

16 Q. And this says that you paid the licensing fees also for the poker machines; is
17 that right?

18 A. Yes.

19 Q. So what did Mr. Kim, KSK Kim, pay for?

20 A. I borrowed money from him to pay for all this.

21 Q. Then the poker machines made some money; right?

22 A. No.

23 Q. Didn't make any money?

24 A. We were losing money little by little.

1 Q. Well, on your income tax return, Asia says it made at least \$42,820.

2 A. That's how you hire employees otherwise they would not approve us to,
3 authorize us to hire any employees, if we don't make any money.

4 Q. So you didn't make \$42,000? You lied and you just put \$42,000 on the tax
5 return?

6 A. Yes.

7 Q. How much did you make in -- how much did Asia make in 2004? Gross
8 revenue.

9 A. I don't know.

10 Q. Who would know?

11 A. Who know?

12 Q. Who? It's all poke --

13 A. This is how it works. When we do collection, collection from poker
14 machines.

15 Q. Okay.

16 A. We split in half. Whenever there's a need for payments or anything, we
17 would, I would chip in again in halves.

18 Q. You and Mr. Kim?

19 A. Yes.

20 MR. HANSON: Do you need to go?

21 MR. NUTTING: Yeah, I do.

22 MR. HANSON: All right. I'm not done yet. But your lawyer needs to leave.
23 So we're going to go off record and then we'll talk about when we're going to come
24 back. The time is approximately 10:38 on January 25, and we will go off record to be

1 continued.

2 (Time noted: 10:38 a.m.)

3 (A recess was taken.)

4 MR. HANSON: Okay. We're back on the record in the deposition of Asia
5 Enterprises Inc., in the case of Li Ying Hua et al versus Jung Jin Corporation et al. Civil
6 Action 050019.

7 This is a continuing deposition. The time is 3:30 on January 25. My name is
8 Mark Hanson, the attorney for plaintiffs, and the officer of the deposition.

9 (Time noted: 03:30 p.m.)

10 MR. HANSON: Present is Mr. Kim for Asia Enterprises Inc. The attorney for
11 the defendant is Steve Nutting, and Mr. Alex Tae the translator. Hopefully we will wrap
12 this thing up very quickly.

13 EXAMINATION BY

14 MR. HANSON: Mr. Kim, we were talking about you, Asia, spending a little
15 over \$88,000 in 2004 on a building renovation. Do you remember spending somewhere
16 around that amount of money renovating a building in 2004?

17 A. I don't know any of this. My job is to earn money and whatever I earn was
18 given to Mrs. Park, and Mrs. Park does all the documents.

19 Q. Okay. Never mind the amount of the renovation. In 2004 you built a house;
20 right?

21 A. (in English) Yes.

22 Q. Did you, did Asia have any construction work done on any other buildings in
23 Saipan, in the CNMI in 2004?

24 A. Yes. In barracks.

1 Q. Okay. What barracks?

2 A. One in -- one in front of Welcome Market. There's about 10 rooms and each
3 room has air conditioner and each room has meter, and electricity lines. Ten rooms.

4 Q. How much approximately did Asia spend renovating that building; that
5 barracks?

6 A. Between \$35 to \$40,000.

7 Q. Besides you building a house and that barracks, were there any other
8 construction projects or renovations that Asia undertook in 2004?

9 A. Fix the roof on factory.

10 Q. Okay. Was that factory owned by Asia or was that just -- I'm sorry. Was
11 that owned by Asia?

12 A. Yes, it is.

13 Q. What kind of factory was that?

14 A. Auto repair shop.

15 Q. So you put a new roof on the auto repair shop in 2004?

16 A. Yes.

17 Q. How much did that cost?

18 A. Approximately \$20,000.

19 Q. All right. We have the house, the barracks renovation, the auto repair shop.
20 Were there any other construction or renovation projects undertaken by Asia in 2004?

21 A. Not that I can remember at this time, but I'm assuming that's it. That's all.

22 Q. Let's talk about the auto repair shop. You still own the auto repair shop?

23 A. I am maintaining it.

24 Q. But you don't own it any more?

1 A. I never owned it. There's no documents showing that I own the auto shop.

2 Q. Do you have a lease on the land where the auto shop is located?

3 A. No. As far as I know I have an ineffective piece of paper showing that a son
4 of deceased person wrote me a note, informal note, to me. I should have that somewhere.

5 Q. All right. Are you the owner of lot 015H14 in Chalan Kanoa?

6 A. What was the number?

7 Q. Lot number 015H14.

8 A. I don't own any lot in Chalan Kanoa.

9 Q. Do you have a lease on the lot in Chalan Kanoa?

10 A. There's a, there's a laundrymat that I run but I don't go by the lot number. I
11 don't know which lot you're talking about.

12 Q. Okay. That's fine. The lot, the lot with the laundrymat, you have a lease on
13 that; is that right?

14 A. That's with the Jung Jin Corporation.

15 Q. Well, did Kim Sung Ki, that's KSK; right? That's your partner?

16 A. (in English) Yes.

17 Q. In 2004, didn't he assign you his lease in the lot in Chalan Kanoa?

18 A. Are you referring to the barracks lot or the laundrymat lot?

19 Q. Well did Kim -- either. Did Kim Sung Ki --

20 A. Mr. Kim assign me the lot in, where the barracks is located.

21 Q. Okay. And did you pay him for that?

22 A. Yes.

23 Q. You still have that lot?

24 A. I returned it to the owner of the building. I couldn't handle it. It was out of

1 control.

2 Q. What was out of control?

3 A. The Chinese tenants were giving a headache. They weren't paying rent on
4 time there.

5 Q. This is the same building you spent \$40 to \$50,000 on to renovate?

6 A. Yes.

7 Q. And you turned the whole building and property back over to the owner?

8 A. Yes.

9 Q. The owner is that Lucy Sablan?

10 A. Police officer.

11 Q. Okay. When did you turn it over to them?

12 A. About four months ago.

13 Q. Four months ago. So less than two years, and you just turned it back over to
14 him.

15 A. Yes.

16 Q. Did you get any money from Mr. Sablan by returning it to him before the end
17 of the lease?

18 A. Not a penny. Not a penny.

19 Q. Did you ask for any money?

20 A. No.

21 Q. Does Asia Enterprises have any employees still living in that building?

22 A. No.

23 Q. Does Jung Jin have any employees living in that building?

24 A. No.

1 Q. That's the building that Mr. Li Zheng Zhe and Xu Jing Ji live?

2 A. (in English) Yeah, that people.

3 Q. All right. Now, your, your house lot, the lot in, by the Verizon, that's a 55
4 year lease; right?

5 A. (in English) Yes.

6 Q. You entered into that in 2001?

7 A. Yes.

8 Q. You pay a thousand dollars a month for that?

9 A. I pay \$800 nowadays.

10 Q. Why only \$800?

11 A. First I couldn't get approval from the -- I couldn't get the building permit at
12 first and I had to put some portion of the lot, return, in return to the government and got
13 the building permit.

14 Q. So you amended in 2003 to decrease the rental amount to \$800 a month?

15 A. Yes.

16 Q. And you're current with the \$800 a month?

17 A. Yes.

18 Q. Are you, have you prepaid any of the \$800 a month? Prepaid rent?

19 A. At the time of the agreement, contract, I pay three years in advance.

20 Q. But now?

21 A. I pay monthly rent.

22 Q. Where do you get the money to pay \$800 a month?

23 A. Problem with the payment at this stage, so I earn, I gather scrap by scrap,
24 barely pay off the rent.

1 Q. Where are you going to get the money next month to pay? It's coming up
2 soon.

3 A. I'll probably have to borrow for the money.

4 Q. Who will you borrow from?

5 A. Friends.

6 Q. What friends?

7 A. I don't know.

8 Q. How about Mrs. Kim from, the wife of Kan Pacific?

9 A. Why would she lend me? Before, before they put my story on the paper I
10 used to have a good credit amongst, amongst friends, slowly after that incident I
11 completely lost my trust to the people I used to be close with.

12 Q. You say Jung Jin is the one that has the lease of the two pieces of property
13 underneath the Welcome Laundry; is that right?

14 A. Where Welcome laundrymat is located it's, it's actually two lots combined in
15 one.

16 Q. Okay. And Jung Jin has the lease of those two lots; is that right?

17 A. Yes.

18 Q. Do they still, are they still, are those, have those leases been assigned to
19 anybody, that you know of?

20 A. As of December last year the contract expired. It was assigned to -- we gave
21 up and we, it was assigned to Mr. Kim Ki Sung.

22 Q. Now, it was assigned to Mr. Kim Ki Sung. Was that in exchange for the
23 money that you and Asia owe Mr. Kim?

24 A. Yes.

1 Q. Now, in the newspaper you were advertising to sell equipment from your auto
2 repair shop; right?

3 A. Yes.

4 Q. Where's that equipment located?

5 A. I sold some of it and it was, they were in the auto shop but the place was
6 robbed five or six times, and a lot of them got stolen.

7 Q. Where, who did you sell the stuff to, what you sold, anyway?

8 A. Was it, what –

9 Q. You said you sold some of the equipment; right? Who did you sell the
10 equipment to.

11 A. To a Chinese tire repair shop.

12 Q. How much did you get for it?

13 A. 1200.

14 Q. When was that?

15 A. About a year ago.

16 Q. Well if you sold it a year ago, why were you advertising it in the newspaper
17 only a month ago, a couple of months ago?

18 A. Part of my business is like a middle man. What I have is I have connections
19 with people who own some Chinese people who own auto shops here, and whenever
20 they're in need of equipment, I order it for them from Korea and provide them with their
21 needs.

22 Q. The auto shop; are you still managing the auto shop?

23 A. It's just left there.

24 Q. Where the auto shop is located, who has the lease on that land?

1 A. Little across -- Saipan -- right next to Aquarius.

2 Q. Who has the lease on that land?

3 A. The person is now deceased. His name was, is John Babauta. He was, it was
4 leased from him in 1989.

5 Q. By you?

6 A. Yes.

7 Q. Why did you say earlier that you have an ineffective document that shows
8 that you leased it? What do you mean by that?

9 A. Because it was written in handwriting from him.

10 Q. Was it notarized?

11 A. No.

12 Q. Where is the document?

13 A. At home.

14 Q. When did Mrs. Park come to Saipan? Did she moved to Saipan?

15 A. Either 93 or 94.

16 Q. Was she doing business here, making leases and stuff like that before she
17 came? Is that part of what you helped her with?

18 MR. TAE: Before she came to Saipan from Korea?

19 Q. Before she moved to Saipan, was she actually entering into leases and things
20 like that?

21 A. No, she didn't rent it.

22 Q. Do you have any property in Korea?

23 A. No.

24 Q. Any bank accounts in Korea?

1 A. No.

2 Q. Your car outside. Who owns the car?

3 A. Mrs. Park.

4 Q. The Toyota Tacoma? Who owns the red KIA?

5 A. That's mine.

6 Q. Where did you get the money to buy the KIA?

7 A. Had it in my pocket.

8 Q. Okay. Where did the money in your pocket come from?

9 A. I worked hard to earn it.

10 Q. What work?

11 A. Anything. I do everything.

12 Q. But in reality it's -- withdraw that. You don't make any money. Asia's the
13 one that makes all the money; right?

14 MR. NUTTING: Objection; calls for a legal conclusion.

15 A. Same story again. I work for Asia. If I don't move around Asia won't make
16 any money.

17 Q. You testified yesterday that you haven't filed an income tax return the whole
18 time you've lived in CNMI; right?

19 A. Yes, personal income tax, yes.

20 Q. How much did, how much did you have to pay for the KIA?

21 A. Paid cash for it.

22 Q. How much cash?

23 A. 19,000.

24 Q. When? When did you buy that?

1 A. About a year ago.

2 Q. Who's the one that bought the Toyota that you're driving?

3 A. Mrs. Park did.

4 Q. How did she have to pay for that?

5 A. Around \$19,500.

6 Q. Where did she get the money to buy that?

7 A. I wouldn't know. It's her business.

8 Q. Is Mrs. Park the one that gave you the money to buy the KIA

9 A. Yes.

10 Q. The -

11 A. We went to get it together, buy it together, and she pay for it.

12 Q. For the KIA?

13 A. Yes.

14 Q. Okay. The Mighty Max. Do you still have the Mighty Max pick up truck?

15 A. What happened was a Chinese guy took that car for a test drive and he got
16 into an accident, and some of the money I received because of that was put into, to buy
17 the new car. To buy the pick up.

18 Q. Right. Has any other - besides Ms. Li Ying Hua, Li Zheng Zhe and Xu Jing
19 Ji, have any other, has anybody else, at any time, ever, filed a labor complaint against you
20 or a lawsuit against you, claiming that you didn't pay them all the wages they were
21 owed?

22 A. No.

23 Q. Ms. Park; does she have a house in Korea?

24 A. No, she doesn't.

1 Q. Where is she staying now?

2 A. She said she'd be staying at her friend's place.

3 Q. Who's her friend?

4 A. I don't know. We Koreans we go by our kid's name. So when you call
5 somebody say your kid's Mike, we say Mike's dad.

6 Q. Do you know where she's staying?

7 A. I don't know where she stays. She has a lot of friends.

8 Q. Well is she staying at Mike's house; Mike's dad's; Eggy's dad's?

9 A. All I know is she went to get check up.

10 Q. Where? What city?

11 A. Seoul.

12 Q. How long is she going to be gone?

13 A. It depends on her physical condition. When she got involved with the lawsuit
14 with Mr. Choi two years ago, she had the same problem and she had to get herself
15 examined in Korea.

16 Q. When she went back to Korea a couple of days ago, did she take money with
17 her?

18 A. I don't know. She never -- even if she had of she would never tell me.

19 Q. Does she have bank accounts in Korea?

20 A. She doesn't tell me this kind of stuff, but I don't think she does.

21 Q. How about you? You don't have any; right?

22 A. No I don't.

23 Q. So when I do my asset check, your assets and Ms. Park's assets in Korea, it's
24 going to come up zero?

1 A. I don't know about her but I have none.

2 Q. The last thing I want to do is talk about documents. Now the easy way we
3 can handle this is for you guys to make a record that all of the documents you provided
4 me are true and accurate for admissibility purposes only, are authentic.

5 MR. NUTTING: We can enter that stipulation.

6 MR. HANSON: Okay. So, I don't have to go and authenticate documents.

7 Q. I do want to ask you Mr. Kim, about a few documents. Now, you said you
8 had promissory notes, various promissory notes with Mrs. Kim, the wife of Kan Pacific;
9 right?

10 A. (in English) Yes.

11 Q. You have promissory notes with Mr. KSK Kim?

12 A. (in English) KSK?

13 Q. Kim Sung Ki

14 A. (in English) Kim Ki Sung?

15 Q. Ki Sung.

16 A. (in English) Yes.

17 Q. You have?

18 A. (in English) I have to check that is Jung Jin. Not Asia.

19 Q. That one's Jung Jin, not Asia?

20 A. (in English) Not Asia.

21 Q. But he was your partner?

22 A. (in English) Which one?

23 Q. Mr. Kim Sung Ki. Ki Sung.

24 A. (in English) Kim Ki Sung. Last year when we running the poker –

1 Q. Well then how come Mr. Kim Ki Sung owes -- is it Ki Sung Kim, is that why,
2 where the KSK comes from? Ki Sung Kim.

3 A. (in English) Ki Sung, Kim Ki Sung, or either way. Either way.

4 Q. Oh I see it. It says Sung Ki in some of the papers. It doesn't matter. We'll
5 just call him Mr. Kim now. Now you're not -- not you Mr. Kim, the other Mr. Kim.
6 KSK Kim.

7 A. (in English) Yes.

8 Q. Why did Jung Jin owe KSK Kim money?

9 A. It was lended to Jung Jin.

10 Q. When? When was it?

11 A. I don't remember the date.

12 Q. Was that, was that money that you guys were making in the poker business?
13 Was that money in your poker partnership? That was the money that was loaned to Jung
14 Jin?

15 A. I wasn't involved in the transaction. It was Mrs. Park and KSK Kim. They
16 talked about it and one night Mrs. Park came home with money and I asked her where the
17 money came from, and she told me that she borrowed it from KSK Kim.

18 Q. How much money was it?

19 A. \$180,000 from what I hear.

20 Q. Was it cash?

21 A. Cash.

22 Q. She came home with 180 --

23 A. It was, it was not one time. It was \$30,000, \$40,000.

24 Q. And was there one promissory note or a series of promissory notes of which

1 you're aware?

2 A. It was made in one.

3 Q. Okay. Who's got that one promissory note?

4 A. Mr. Kim should have it.

5 Q. Anybody else have a copy of it?

6 A. I wouldn't know but I don't think anybody would make a copy of it. Original
7 copy.

8 Q. Why would anybody want a copy; I agree. Mortgages. You said that there's
9 a mortgage document that you just granted to Kim, the wife of Kan Pacific; is that right?

10 A. Yes the house.

11 Q. Did you have a copy of that?

12 A. I have a copy. It was given to me by a law office.

13 Q. What law office? Ray Yana? Dan Aguilar?

14 A. To the town people --.

15 Q. Which one?

16 A. He doesn't know. He said he --

17 Q. Tall or short? Talks funny?

18 A. Skinny, old.

19 Q. Old. Okay. Oh definitely. How about security agreements? Did you ever
20 get any of your other equipment, or the equipment of Asia, any equipment, did you ever
21 give somebody a right to come and get that if you didn't pay them money?

22 A. Other than the house, no.

23 Q. Okay. Do you have any documents for any sale of any of your assets that
24 you've made, any other equipment that you've sold? You have receipts or documents to

1 show that you sold those assets?

2 A. No, I don't.

3 Q. What about assets that you've bought. Do you have receipts for everything
4 that you've bought, that you paid for?

5 A. Throw them away.

6 Q. You don't have a file with any sort of receipts in it at all?

7 A. No.

8 Q. What about bank accounts. Asia has one bank account and that's all? No
9 other bank accounts?

10 A. One investment loan leave that with bank.

11 Q. And, you said you used to have one but you don't have one anymore; is that
12 right?

13 A. That I still have.

14 Q. I'm sorry. In the name of Kim Hang Kwon, not in the name of Asia, but in
15 your personal name.

16 A. I still have.

17 Q. Where is that?

18 A. Bank of Hawaii.

19 Q. Corporate documents; does Asia have Articles of Incorporation?

20 A. Yes.

21 Q. Does Asia have by laws?

22 A. Yes.

23 Q. Does Asia have Minutes of Meeting of the Board of Directors?

24 A. Well it's all in one file.

1 Q. Where's that file located?

2 A. I'll go home and check.

3 Q. Partnership agreements. You talked about a lot of partners that you've had.
4 You've had Jung Jin or Ms. Park was your partner. Mr. KSK Kim was your partner. Do
5 you have agreements with those people when you enter into these partnerships?

6 A. [unclear].

7 Q. So the answer is no?

8 A. No.

9 Q. What about the contract - you said you had a contract to do services, for a long
10 time, for Jung Jin; right?

11 A. (in English) Yes.

12 Q. Is it written?

13 A. I made one long time ago but I don't know whether I still have it or not.

14 Q. There's only one time you made a contract?

15 A. I needed that to issue a license.

16 Q. Can you look and see if you have that?

17 A. I'll look for it.

18 Q. And the promissory notes, and corporate documents. I'm going to send you a
19 notice; don't worry. And mortgage document, and a lease agreement. Do you have any
20 other documents? The one with the auto shop? Even the one that's in the handwriting. I
21 want to see a copy of that.

22 A. I'll give it to you. I'll look for it and if I find it, I'll give it to you.

23 Q. And this, the partnership with - what was the poker place - Daora?

24 A. (in English) Daora.

1 Q. That whole business that you had for a year with Mr. KSK Kim. Was there
2 any written agreements between you guys with regard to that business?

3 A. No.

4 Q. Do you -- besides Asia, do you have an interest in any other business,
5 anywhere in the world?

6 A. No, I don't.

7 Q. Are you an officer and director of any other company besides Asia, and
8 possibly Jung Jin Corporation?

9 A. No.

10 Q. Do you know where -- never mind, I won't ask that. Do you know if Cindy
11 Yu, is she still in Saipan?

12 A. I don't know. She may or she may not. The business was between Mrs. Park
13 and Cindy Yu. I was never heavily involved with them, with her.

14 Q. When we first started this case, your lawyer, your attorney, sent to me for my
15 information and filed with the court, a statement stating who the witnesses for the defense
16 in this case were going to be. Who were the people that had information relative to your
17 defense. It's not a question. It's a statement. On that document it said two people. It
18 said you and Mrs. Park. Now, I'm asking you today, when we go to trial in this case, is
19 there anybody else that you know that you would want to come in to support your
20 defenses in this case?

21 A. No.

22 Q. So is there anybody else that knows, besides Ms. Li Ying Hua, Li Zheng Zhe
23 and Xu Jing Ji, is there anybody else that knows about their special agreement, not the
24 written contract but the agreement that you have to pay them monthly, a salary?

1 A. All my previous employees were paid the same way. Chinese only. Filipinos
2 were legally or formally time in and time out. It was, the time cards were sometimes
3 handwritten and sometimes printed.

4 Q. Why did you do the Filipino employees, why did you treat them differently
5 than the Chinese employees?

6 A. They volunteered to do so. Instead of working 40 hours a week, they
7 volunteered to work longer hours and get paid more, and in, that's a traditional way for
8 Chinese and Koreans. We get paid by monthly salary, not hourly rate.

9 Q. And the Filipino employees didn't want to do that?

10 A. They chose to do the hourly rate.

11 Q. And they got paid overtime?

12 A. And filed tax according to what they earn.

13 Q. So you understood then, when paying your employees, that you had to pay
14 them overtime when they worked overtime?

15 A. I knew it as well as they did. It's not their first time. They've been here long
16 enough. They used to work at the garment factory. They used to do the time in and out
17 then. When I interviewed them upon the time of their first hired, I specifically asked
18 them whether they wanted the time and or if they wanted the monthly salary, and they
19 said we would rather do monthly salary, do a lot of hours, have fixed rate, fixed salary,
20 earn a lot of money and go home soon.

21 Q. You had that conversation with Li Ying Hua before she started working?

22 A. Yes. Every single person.

23 Q. So, Li Zheng Zhe back in 2002, you told him the same thing?

24 A. Yes.

1 Q. And Xu Jing Ji in 2003; right?

2 A. Exactly the same. Every Chinese worker work for me, and all Filipinos
3 knows, all my Filipino employees knows every Chinese employees are paid monthly.
4 Not only my place. If you go around other places, all Chinese workers are paid by the
5 same way.

6 Q. When they work for Koreans; right?

7 A. Yes. Even with Chinese working for Chinese too.

8 Q. And all this was also while you were working for Jung Jin - you told them the
9 same thing when they were working for Jung Jin; right?

10 A. Either Asia or Jung Jin.

11 Q. It didn't matter.

12 A. The salary mattered; right.

13 Q. Yes, and you were the one that told all of the employees, regardless of
14 whether they were Jung Jin employees or Asia employees, you were the one that worked
15 out the agreement for the salary?

16 A. Yes, yes, but it wasn't, it wasn't like a formal meeting where I get all my
17 employees in and do a formal speech. It was done individually. Every time, every time
18 somebody comes for a new interview I would tell them the same procedure, and when
19 they terminate from the company and somebody replaces their position, I will tell the
20 person the same. And even before so, they know how it works.

21 Q. I just have a few more questions. May be just one. Mr. Kim was the one that
22 was responsible for hiring the employees for Jung Jin and Asia? This Mr. Kim.

23 A. I wasn't responsible. I wasn't obligated to for hiring the employees, but
24 coincidentally people come to me and ask for work.

1 Q. So you hire them and then Mrs. Park would do all the paperwork for the
2 business?

3 A. Yes.

4 Q. Okay. I'm done asking questions. Your lawyer can ask questions, or he
5 doesn't have to.

6 MR. NUTTING: I don't have any questions at this time.

7 MR. HANSON: Okay. Then I will conclude the deposition. There are a few exhibits
8 that were discussed by number, one by letter. I will attach those. Do you have anything
9 you want to put on the record?

10 MR. NUTTING: No.

11 MR. HANSON: Well with that - Mr. Kim, is there anything else you want to
12 say?

13 THE WITNESS: One thing I'm curious about is there's a Saipan labor law in
14 immigration now. Why am I sitting here being asked from the Federal Court law?

15 MR. HANSON: Your attorney can probably explain that for you, but now is not
16 the time. Okay.

17 THE WITNESS: Okay.

18 MR. HANSON: All right. Well thank you very much for coming, and I won't
19 take any more of your time.

20 I will put on the record that I won't need to depose Mr. Kim in his personal
21 capacity, but the whole issue of Jung Jin is an open one, so, with that I will conclude this
22 deposition and thank every one for coming.

23 END OF DEPOSITION.

LIST OF EXHIBITS:

Exhibit A.	Korean newspaper advertisement (1 page).
Exhibit (Bates) No. 001:	Annual Report-Asia Ent. Inc., Year 2003 (1 page).
Exhibit (Bates) No. 00255:	Conditional Grant of Transfer of Xu Jing Ji from Jung Jin Corp. to Asia Enterprises (1 page).
Exhibit (Bates) No. 01444-01452:	Form 1120 CM with attachments for Asia Enterprises, Inc. FY 2004 (9 pages).
Exhibit (Bates) No. 01543:	BGRT-Asia Enterprises, Inc., 4 th Quarter (1 page).
Exhibit (Bates) No. 01585:	BGRT-Jung Jin Corporation, 4 th Quarter (1 page).

RULE 30(f)(1) Certification

I, Mark B. Hanson, do hereby certify:

That the foregoing deposition was taken by digital voice recording on the 24th and 25th of January, 2006 in the office of Mark B. Hanson and that the deponent was duly sworn by the undersigned Notary Public for the CNMI;

That the foregoing pages are a true and accurate record of the testimony of the deponent made from the examination record made at the time of the deposition and transcribed under my direction and thereafter verified by me to the best of my knowledge and ability;

That no Rule 30(e) review was requested before completion of the deposition; and

That the deponent has been notified, this day, of the completion of this transcript, the original of which is hereby filed with the office of Mark B. Hanson.

Sworn this 31st day of March, 2006 in Saipan, Commonwealth of the Northern Mariana Islands.


MARK B. HANSON

MARK B. HANSON
NOTARY PUBLIC
Commonwealth of the Northern Mariana Islands
My Commission Expires: Dec. 8, 2006
P.O.Box 5682 CHRB Saipan, MP 96950

